## COMMONWEALTH OF MASSACHUSETTS State Building Code Appeals Board Board's Ruling on Appeal<sup>1</sup>

**Docket No. 08-588** 

Appellant(s): Norton Remmer

vz. Appellee(s):

City/Town of Boston

Thomas O'Donnell

## **Procedural History**

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, Appellant requested that the Board grant him a variance from 780 CMR 403.2, 904.7, and 906.2.1 of the Massachusetts State Building Code (MSBC) for 98 to 106 Boylston St. Boston, MA. In accordance with GL c. 30A, §\$10 & 11; GL c. 143, §100; 801 CMR 1.02 et. seq.; and 780 CMR 122.3.4, the Board convened a public hearing on June 24, 2008 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant appeared for the hearing pro se.

## **Discussion**

A motion was made to grant the Appellant's request for a variance from 780 CMR 403.2, 904.7, and 906.2.1 of the MSBC based upon the fact that the appellant has demonstrated and met all the requirements of NSTAR vaults. This appeal information had been sent to Boston ISD, which had sufficient time to review the issue and no objection at this point in time had been received from that office. The vote on this motion was unanimous.

## Conclusion

The Appellant's request for a variance from 780 CMR 403.2, 904.7, and 906.2.1 is hereby granted and so ordered<sup>2</sup> on this date: June 24, 2008.

Suan Molero

Alexander MacLeod

Jacob Nunnemacher

<sup>2</sup>In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.

<sup>&</sup>lt;sup>1</sup> This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108